

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

SONJIA McCOY,)	
)	
Plaintiff,)	
)	
)	
vs.)	CASE NO. 2:11-00026
)	JUDGE CAMPBELL/KNOWLES
)	
)	JURY TRIAL DEMANDED
)	
)	
PRECISION THERMOPLASTIC)	
COMPONENTS, INC., TECHNICRAFT)	
PRODUCTS, INC., CC PACKAGING,)	
LLC, DS CONTAINERS, INC., JOHN)	
DOES I-IV, and XYZ CORPORATIONS,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

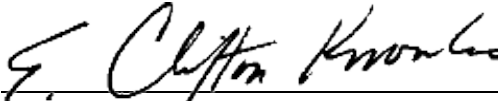
The Court held a telephone conference call on February 2, 2012, regarding Plaintiff's "Motion for Emergency Telephonic Status Conference." Docket No. 65.

It has come to the attention of the Court that Defendant EMC Packaging, Inc. has filed a Petition for Relief under Chapter 11 of the United States Code in the United States Bankruptcy Court for the District of Delaware. The bankruptcy number appears to be Case No. 09-11475-BLS, or possibly 09-11524.

It further appears that EMC Packaging, Inc., could be the primary Defendant in this action because of its apparent involvement with the alleged unsafe condition of the can at issue.

For the foregoing reasons, it appears that the automatic stay provisions of 11 U.S.C. § 362 are applicable, and the undersigned recommends that this action be stayed.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge